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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/580,411 05/30/00 JENKINS

H 7948

EXAMINER

QM12/0327

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DEXTER, C  
ART UNIT

PAPER NUMBER

3724  
DATE MAILED:

03/27/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/580,411

Applicant(s)  
Jenkins

Examiner  
Clark F. Dexter

Group Art Unit  
3724



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-3 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-3 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152


--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because of the following informalities:

In Figure 8, the leftmost occurrence of numeral 64 has no lead line and should be deleted for clarity. 

Appropriate correction is required.

### *Specification*

2. The disclosure is objected to because of the following informalities:

In general, titles are missing and the appropriate titles should be added (e.g., "Summary of the Invention" should be provided on page 1 between lines 18 and 19, "Brief Description of the Drawings" should be provided on page 2 between lines 14 and 15, and "Detailed Description of the Preferred Embodiment(s)" should be provided at the top of page 4 or the like).

On page 2, line 10, "in sealing function" is unclear as to what is being described.

On page 3, line 8, there are two close brackets ")" and it seems that the first one should be deleted.

On page 6, line 2, there are two periods "."; in line 5, it seems that --46-- should be inserted after "plate" for clarity; in line 9, "47" is inaccurate and should be changed to --46--.

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On page 7, line 20, "symmetrical rim 34" is inaccurate, and it seems that "34" should be changed to --24--.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1-3, line 1 of each claim, the recitation "in combination" renders the claims vague and indefinite as to what is "in combination", particularly since all of the claimed limitations are directed to the blister die cutter apparatus, and it is suggested to simply delete "in combination".

In claim 1, lines 5-6, the phrase "arranged in a configuration to cut a blister from a sheet of substrate" is vague and indefinite as to how the steel rule die is arranged, particularly since it is being defined in terms of the work piece which is not part of the claimed invention.

***Prior Art***

4. Further consideration of the claimed invention with respect to the prior art will be given upon clarification of the claimed invention.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at (703)308-2187.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers for this group are: formal papers - (703)305-3579; informal/draft papers - (703)305-9835.



**Clark F. Dexter**  
**Primary Examiner**  
**Art Unit 3724**

cf  
March 26, 2001